JUN-22-2004 16:18

JENKENS AND GILCHRIST

Jenkens & Gilchrist

225 WEST WASHINGTON ST. **SUITE 2600** CHICAGO, ILLINOIS 60606

HOUSTON, TEXAS Los Angeles, California

NEW YORK, NEW YORK

DALLAS, TEXAS

PASADENA, CALIFORNIA

SAN ANTONIO, TEXAS

WASHINGTON, D.C.

FROM THE DESK OF: Janet M. Garetto (312) 425-8514

(312) 425-3900 FACSIMILE (312) 425-3909

www.jenkens.com

RECIPIENT

COMPANY

FAX No.

PHONE NO.

Examiner Neil Levy

United States Patent & Trademark Office

(571) 273-0619

MESSAGE •

Please see attached.

In Re Application of: Peter Van Voris, et al

Serial No. 08/771,467 Filed: December 20, 1996

Title: Method and Device for Protection of Wooden Objects Proximate Soil From Pest Invasion

Janet M. Garetto

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile is

- 1. SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE;
- 2. ATTORNEY WORK PRODUCT; OR
- 3. CONFIDENTIAL.

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Jenkens & Gilchrist, a professional corporation by telephone at (312) 425-3900 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

Time: 4'/5 Date: June 22, 2004

Emp#:

Billing #: 47309-00025

Total Pages (+ Cover): /L/

PTO/\$B/97 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Application No. (if known): 8/771,467

Attorney Docket No.: 47099-00094USP17309-

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Examiner Neil Levy at 571-273-0619.

June 22, 2004 Date

> Marge Caruso Typed or printed name of person signing Certificate

Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Re Application of: Peter Van Voris, et al. Application Senal No.: 08/771,467

Filed: December 20, 1996

Title: Method and Device for Protection of Wooden Objects Proximate Soil From Pest Invasion

- 1. Amendment and Acknowledgement of Telephone Interview (9 pages);
- 2. Copy of Supplemental Information Disclosure Statement previously submitted 2/13/04 (2 pages); and
- 3. Copy of Form PTO-1449 (modified) previously submitted 2/13/04 (1 page).

JUN-22-2004 16:18

JENKENS AND GILCHRIST

Jhew 3124253969 P.03

Application No. 08/771,467

Docket No.: 47309-00025USC1

Customer No. 30,223

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Van Voris et al.

Application No.: 08/771,467

Filed: December 20, 1996

For: METHOD AND DEVICE FOR PROTECTION OF WOODEN OBJECTS PROXIMATE SOIL

FROM PEST INVASION

Art Unit: 1616

Examiner: Neil S. Levy

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, VA., to the Attention of Examiner Neil Levy, at Fax No. 571-273-0619 on this day, June 22nd, 2004.

Marge, Caruso

AMENDMENT AND ACKNOWLEDGEMENT OF TELEPHONE INTERVIEW

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Commissioner:

This paper is submitted in response to the Office Action mailed May 14, 2004, for which the three-month date for response is August 14, 2004. Please enter the following amendments and remarks into the record for the above-identified application as follows:

The Applicants' Amendments to the Claims are reflected in the Listing of Claims that begins on page 2 of this paper.

The Applicants' Remarks begin on page 8 of this paper.